

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Noe CANO-Navarrete,

Defendant

) Magistrate Docket No. U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

) '08 MJ 2445

) COMPLAINT FOR VIOLATION OF DEPUTY

) Title 8, U.S.C., Section 1326

) Deported Alien Found in the

) United States

The undersigned complainant, being duly sworn, states:

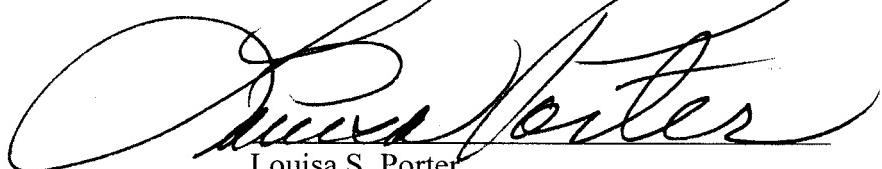
On or about **August 6, 2008** within the Southern District of California, defendant, **Noe CANO-Navarrete, an alien**, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 7th DAY OF AUGUST, 2008


Louisa S. Porter
UNITED STATES MAGISTRATE JUDGE

DOP
8/08/08
gjm

CONTINUATION OF COMPLAINT:
Noe CANO-Navarrete

PROBABLE CAUSE STATEMENT

On August 6, 2008, Border Patrol Agent R. Ewers was performing his assigned duties in the Campo Border Patrol Station area of responsibility. At approximately 9:00 a.m. Agent Ewers responded to a radio report of eleven people walking north near of Old Hwy 80 and Caffey's Driveway. This area is located approximately eighteen miles east of the Tecate, California Port of Entry and approximately five miles north of the United States/Mexico International Boundary.

Upon arriving at the location, Agent Ewers observed eleven individuals attempting to hide. One of the individuals was later identified as the defendant **Noe CANO-Navarrete**. Agent Ewers approached the suspects and immediately identified himself as a United States Border Patrol Agent. Agent Ewers then began to question each individual as to their immigration status. Each individual, including **CANO** admitted to being citizens and nationals of Mexico illegally present in the United States without immigration documents that would allow them to enter or remain legally. All eleven were arrested and transported to the Campo Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on July 25, 2007** through **San Ysidro**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.